



METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Programming and Allocations Committee

DATE: September 9, 2009

FR: Executive Director

RE: New Federal Transportation Act—Proposal for Cycle 1 Programming and Cycle 2 Framework

Introduction

The region has programmed all of its expected Safe, Accountable, Flexible and Efficient Transportation Equity Act (SAFETEA) apportionment and we are in the final fiscal year of the act. As the region faces the close of SAFETEA ending on September 30, 2009, we recommend that the Commission provide an overall architecture to guide upcoming programming decisions for the new federal surface transportation act funding (New Act).

Attached for your information is staff's proposal for the use of these flexible federal highway funds, which are at the discretion of the Commission, over the next six fiscal years. This item is presented this month for information only, and will return to the Commission for action in October.

Background

While the exact fund program categories in the new authorization act are not yet known, we anticipate that the future funding programs will overlap to a large extent with projects that are currently eligible for funding under Title 23 of the United States Code. We also expect that the next one or two years of funding will be authorized through an extension of the current act and its programs.

The starting point for making New Act funding decisions is the strategic delivery of investments described in Transportation 2035 (T2035). In particular, T2035 identifies investments for federal Surface Transportation Program and Congestion Mitigation and Air Quality (STP/CMAQ) funding in the following areas:

- Continuation of Regional Operations programs such as 511 and TransLink®;
- System operations on the State Highways;
- Climate Initiatives;
- Bicycle/pedestrian programs;
- Transportation for Livable Communities (TLC); and
- Ongoing commitments to system maintenance and preservation.

Recent Programming Activities

Under the American Recovery and Reinvestment Act of 2009 (ARRA) MTC programmed roughly \$660 million to fund critical transportation needs in the Bay Area, which could be implemented quickly with the objective of jumpstarting the economy. To provide a necessary context for decisions on the next federal fund programming, these ARRA investments are listed in Attachment A along with the proposed STP/CMAQ programming. As a reminder, roughly two-thirds of the ARRA funds were committed to transit and local road rehabilitation projects.

Funding Estimate

Staff estimates that STP/CMAQ and Transportation Enhancements (TE) revenue will be \$1.1 billion over the next six-year authorization, assuming a 4% annual growth rate, consistent with projections for T2035.

The region will also have \$105 million in Regional Transportation Improvement Program/ Corridor Mobility Improvement Account (RTIP/CMIA) bond funding capacity as well as \$7.5 million in TE for programming consideration as a result of recent ARRA programming activities. Attachment A presents both this ARRA “backfill” programming as well as the estimated funding to be discussed as part of the New Act programming. All told, roughly \$1.2 billion is assumed to be available for Commission programming through FY 2014-15.

Further, \$235 million is identified as “anticipated” over the six year period, which represents the additional increment of funding consistent with the House Transportation and Infrastructure Committee \$500 billion proposal for authorization (10% growth rate). Staff recommends programming the first three years of this amount (up to \$60 million) under Cycle 1 on a contingency basis should apportionments come in higher. Staff believes this is a reasonable assumption considering past experience. For example, during SAFETEA, roughly \$180 million was programmed in bonus funding rounds – akin to “anticipated” revenues in that it was funding above original estimates. Thus, the total 6-year amount of funding contemplated in this proposal is \$1.4 billion.

While staff will seek the Commission’s approval for an overall framework for this \$1.4 billion in new funding in October, we will be requesting that the Commission adopt only the first three-year period of funding (Cycle 1, ARRA Backfill, and initial contingency priorities for “anticipated” revenues). This will give the region the opportunity to revisit the final three years of programming approximately two years from now, in order to consider changes in revenue estimates and any change to project eligibility.

New Act Proposal

Attachment A presents staff’s proposal for the use of STP/CMAQ, ARRA Backfill, and “Anticipated” funds during the New Act six-year period. Attachment B provides additional program category information.

The staff proposal addresses each of the stated programming principles noted below:

- **Required payback of Obligation Authority (\$68 million)**
- **Maintain on-going programs (\$206 million)**
- **Seize opportunity to deliver system-wide improvements (\$222 million)**

- **Fund other core Transportation 2035 categories (\$834 million)**
- **Fund strategic investments and regional commitments (\$71 million)**

The Climate Initiatives program is unique in that T2035 assumed front loading in the first five years. Also, staff has assigned first priority for funding to on-going and statutorily required programs. This includes repaying Caltrans' advance of additional obligation authority to the MTC region during SAFETEA, which permitted the delivery of more projects earlier than anticipated.

Keeping in mind that T2035 is not a strict programming document, the Commission's programming policies should provide flexibility to address changing funding constraints and opportunities. For reference, the chart below shows the assumed T2035 percentage investments to the core programs as compared to the staff proposal. The percentages are based on the STP/CMAQ funding level assumptions only. As a reminder, a significant amount of T2035 funding for the core programs was assumed to come from "anticipated" revenues." The difference between staff's proposal and the T2035 STP/CMAQ in relative funding percentages is discussed in the "Policy Considerations" section below.

Comparison of Staff Proposal and Transportation 2035 Investment Assumptions

	T2035 STP/CMAQ 25-Year Assumption		Staff Proposal: 6-Year	
	Million \$s	%	Millions	%
T 2035 Core Programs				
Freeway Performance Initiative (FPI)	825	16%	222	27%
Climate Initiatives	225	4%	93	11%
Regional Bicycle Program	525	10%	44	5%
Transportation for Livable Communities (TLC)	1,125	22%	174	21%
Transit Capital Rehabilitation	1,000	20%	119	15%
Local Streets and Roads Rehabilitation	1,400	27%	169	21%
Total	5,100	100%	821	100%

Response to Stakeholder Outreach To-Date

Attachment A reflects a number of revisions to a version of this funding proposal made available to stakeholders on June 23, 2009, and it attempts to respond to discussions with the Bay Area Partnership, MTC advisory committees, and other stakeholders during the summer months. In particular, staff has revised the proposal in response to the following input:

- **Advance more funding for core T2035 programs:** Staff recommends moving some strategic investments into Cycle 2 to free up \$31 million of programming capacity to advance a larger share of the Climate Initiatives, Regional Bicycle, TLC and the Local Streets and Roads Rehabilitation Shortfall programs into Cycle 1.
- **Frontload funding for Climate Initiatives:** In addition to advancing funding from Cycle 2 to Cycle 1 as discussed above, the overall funding capacity in Cycle 1 has been increased by \$20 million to establish a stronger jump start for the new Climate Initiatives Program. We propose to assign this new climate funding to the SFGO project as a transit priority project. Staff also notes that the other core programs in the proposal provide greenhouse gas (GHG) emission reductions, consistent with the objectives of the Climate Initiatives program, as discussed further under "Policy Considerations."

- **Higher funding levels for T2035 core programs:** Staff recommends two adjustments that increase revenues for all core programs except FPI: 1) add \$22 million in available regional TE funding to Cycle 2; and 2) pre-commit “anticipated” revenues that could be available if the authorization results in higher apportionments. Distribution of these funds would be directed to the core programs (except FPI) using T2035 pro-rata shares.
- **Ensure project delivery deadlines:** Staff recommends the establishment of delivery deadlines to ensure timely use of federal funds and ready-to-go projects be given priority. This allows the MTC region to remain in a position to obtain additional federal funding from other regions in California as well as from other states, if the opportunity arises.
- **More planning support for CMAs:** Staff recommends that the CMAs be given the option to use up to \$9 million (4%) of core county program grants for planning activities.
- **Reconsider priorities within FPI category:** Staff recommends adding the San Mateo 101 project to the FPI project list and dropping the Alameda I-880 project in the Fremont/Dumbarton Bridge area.

Appendix 1 summarizes comments received to-date.

Policy Considerations

The staff proposal for a New Act program requires that the Commission consider and balance a number of policy issues:

1. **Accelerate the Freeway Performance Initiative (FPI):** T2035 established that FPI preserves and optimizes the use of the existing capacity on the state highway system, enhances mobility and reduces air pollution. Furthermore, during the development of T2035, MTC staff conducted evaluations to measure benefit and effectiveness of various project investments, and concluded that the FPI program earned among the highest marks in areas such as the benefit/cost ratio in reducing congestion and CO2 emissions. See Attachment C for an illustration of T2035 investments and their relative evaluation outcomes, and Attachment D for a list of proposed FPI projects.

Staff recommends a larger share of funding for advancing FPI in Cycle 1, so that traffic management systems can be implemented in time to address expected higher levels of congestion, once the economy begins to recover and to realize the benefits of these lower cost and quick delivery projects. The trade-off for this strategy is a smaller share of funding for other core program categories. However, to the extent possible, the FPI program has been aligned with state funding for highways, leaving the most flexible dollars for other core programs. Staff has worked closely with Caltrans to develop detailed schedules and resource allocation plans, and is confident that the FPI corridor improvements identified can be delivered on schedule.

2. **Climate Initiative Program Funding:** The Commission has identified \$400 million for the Climate Initiative Program in T2035, of which \$225 million is assumed to be underwritten with STP/CMAQ funding. T2035 assumed that the balance would be provided by “anticipated” funds. While staff has estimated “anticipated” revenue for the purpose of the New Act proposal based on higher federal transportation authorization levels, other federal revenue opportunities are expected to become available, such as a carbon cap and trade program and the Livable Communities Act being considered by Congress. Staff will pursue funding from these and other sources for the Climate Initiatives, TLC and Regional Bicycle programs.

The Commission further intended that this initiative would be implemented within the initial five years of the T2035 planning horizon. If New Act funding were programmed to deliver \$225 million in five years, dramatically less funding would be available to continue the annual programs, fund other T2035 core programs, and make strategic investments. To that point, it is important to consider the synergies and overlap of the core programs in achieving the objective of reducing GHGs and other air pollutants.

More than 75% of the \$32 billion in total discretionary funding identified in T2035 is directly or indirectly aimed at reducing GHGs. For example, the Commission's commitments to complete the Regional Bicycle Network and to promote focused growth through the TLC program encourage more bicycling and pedestrian travel. Also, the fix-it-first policy supports GHG emission reductions by improving the reliability of transit service and supporting bicycle and pedestrian travel as required by the Commission's "complete streets" policy. Lastly, staff's analysis suggests that the FPI program is also a key GHG emission reduction strategy and could prove to be more cost-effective than the Climate Initiatives Program itself. To strike a balance among various transportation needs over the next six years and considering cost-effectiveness, staff's recommendation results in a more gradual ramp up of the Climate Initiative.

3. **Project Delivery:** All STP/CMAQ funding is subject to the Regional Project Funding Delivery Policy (MTC Resolution No. 3606 revised) which establishes fund obligation, contract award, expenditure, invoicing and reimbursement deadlines among other requirements. Failure to meet these requirements could result in the redirection of funds to other projects. Funds must be obligated in the fiscal year programmed in the TIP, with all Cycle 1 funds to be obligated no later than April 30, 2012. Per Resolution 3606, an annual obligation plan will be developed each year to determine the specific projects to meet the April 30 deadline of that fiscal year. Funds not obligated within established deadlines could be redistributed to other projects at the Commission's discretion.
4. **Direct Some Capacity to Strategic Investments:** Effective programming decisions need to be strategic, responding to opportunities to deliver system-wide improvements as well as to address critical projects that might be postponed during budget crises. For example, the region has directed STP (STIP Backfill) and American Recovery and Reinvestment Act of 2009 (ARRA) funds to jumpstart construction projects when state funds were not immediately available. Staff recommends supplementary funding for Corridor Mobility and Trade Corridor projects, as well as restoring funds for regional transit commitments that are not available as a result of the state budget.
5. **Priority Development Areas (PDA) Based Funding Decisions:** In Transportation 2035, the Commission's transportation/land use and climate change policies seek to align "focused growth" land use principles and transportation investments. As part of the ARRA program adoption last February, the Commission directed staff to begin developing a PDA investment strategy in advance of the new federal authorization. As it relates to the New Act programming, staff recommends the following:
 - **Transportation for Livable Communities:** All TLC projects must be located in priority development areas with additional weight given in project

evaluation depending on whether the projects are in planned or proposed PDAs and based on proposed development intensity.

- ***Climate Initiatives:*** Consistent with the broad framework for the Climate Initiative program in T2035, Attachment B outlines a near-term proposal for Cycle 1 developed jointly by MTC and Air District staff. This proposal is subject to refinement through October to ensure the most deliverable and cost-effective programs are pursued. Capital projects funded by the Climate Initiative program would be given priority if they are in planned PDAs, with additional weight being given to projects that are in higher intensity development and in proximity to transit.
- ***Rehabilitation – Streets and Roads and Transit:*** The current distribution formula prioritizes funding for local jurisdictions that are considered high-intensity PDAs. The allocation formula for streets and roads rehabilitation contains four factors, weighted 25% each, including population, lane mileage, arterial and collector shortfall, and preventive maintenance performance. The population and lane mileage factors result in an emphasis on PDAs. Staff recommends a change from current practice by requiring that the CMAs use the same allocation formula for streets and roads distribution within the counties.

Program Management

Staff proposes that program management be split between MTC and the CMAs as outlined in Table 1 on the next page. This would focus MTC management on program areas of regional scope or with a network impact. Congestion management agencies would manage programs with a local/community focus.

Further, in response to stakeholder comments, staff proposes to bundle some programs into “PDA block grants” to allow more flexibility and strategic project delivery on the part of the counties in terms of the final amount programmed within each category, recognizing unique county transportation needs. Discrete program category targets would be established, with allowable margins of deviation, for the bundled programs. The intended result would be a more synergistic approach to CMA project selection and delivery using a variety of T2035 core funded programs which we hope will lead to larger, more effective, and multi-modal projects that promote a wide spectrum of planning goals. The CMAs would coordinate their decisions with the MTC managed programs such as TLC and Climate Initiatives. Lastly, staff proposes that CMAs be required to submit a strategic plan by January 1, 2010, that identifies the milestones for making project selection decisions and how stakeholder outreach will be accomplished to further priority development area goals.

Table 1

Transportation 2035 Core Programs	Manager	PDA Block Grant
Freeway Performance Initiative (FPI) and the Regional Signal Timing Program.	MTC, Caltrans and CMAs	
Climate Initiatives <ul style="list-style-type: none"> ▪ Transit Priority Measures ▪ Electric Vehicle Infrastructure (EVI) ▪ Safe Routes to Schools ▪ Safe Routes to Transit ▪ Outreach/Incentives 	MTC and Bay Area Air Quality Management District	
Climate Initiatives <ul style="list-style-type: none"> ▪ E. Solano CMAQ 	Solano Transportation Authority	Yes
Regional Bicycle Program	CMAs	Yes
Transportation for Livable Communities (TLC) – Regional	MTC	
Transportation for Livable Communities (TLC) – County	CMAs	Yes
Regional Streets and Roads Rehabilitation	CMAs	Yes
Transit Capital Rehabilitation	MTC	

Schedule

Attachment E is the proposed outreach schedule for the development of Cycle 1 funding. The next step is the continuation of discussions with stakeholders throughout September. In October staff plans to bring a draft final proposal to the Programming and Allocations Committee and to the full Commission for approval.

 Steve Heminger
Attachments

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Attachment A

New Transportation Authorization Act-- STP/CMAQ with ARRA Backfill Outlay
MTC Revised Proposal, September 9, 2009
(amounts in millions \$)

Program and Project Investments Described in attached summary	Committed ARRA Programming	New Commitments					Total New Commitment
		ARRA ¹ Backfill	STP/CMAQ Cycle 1	STP/CMAQ/TE Cycle 2	ARRA Backfill & STP/ CMAQ/TE Total	Anticipated Revenue ²	
Estimated Apportionment Revenues	662	113	485	568	1,166	235	1,401
Annual Programs							
1 Required SAFETEA OA Carryover			68		68		68
2 On-Going Regional Planning			23	25	48		48
3 On-Going Regional Operations			84	74	158		158
Total			175	99	274		274
T 2035 Core Programs							
4 Focus 1 Freeway Performance Initiative (FPI)	19	74	62	86	222		222
5 Focus 2 Climate Initiatives ³			59	34	93	55	148
6 Focus 2 Regional Bicycle Program	10	8	16	20	44	22	67
7 Focus 2 Transportation for Livable Communities (TLC)			78	96	174	49	223
8 Focus 3 Transit Capital Rehabilitation	286			119	119	45	164
9 Focus 3 Regional Streets and Roads Rehabilitation ⁴	145		86	83	169	63	232
Total	461	82	302	438	821	235	1,056
Strategic Investments							
10 Safety Projects (Vasco Road and North Bay counties)	13						
11 Express Lane Network (580 and 237/880)	14						
12 Transit Expansion (Oakland Airport Connector)	70						
13 Advance Prop 1B Construction (Caldecott Tunnel)	105						
14 Corridor Mobility (SCL I/C Imps)		32			32		32
15 MTC Res 3814 Transit Payback Commitment				31	31		31
16 Trade Corridor (Richmond Rail Connector)			8		8		8
Total	201	32	8	31	71		71
Grand Total	662	114	485	568	1,166	235	1,401

¹ \$112.5 M in ARRA Backfill is included within the \$661.9 M ARRA Programming Amount (\$105 M for Caldecott Tunnel and \$7.5M for TE)

² Anticipated revenues are based on a 10% annual authorization increase as compared to the assumed 4% in the base proposal over six years. Portion available for Cycle 1 programming is \$60 million from apportionments over the first three years.

³ Includes \$20M for SFgo

⁴ Includes PTAP and FAS of \$28M

Attachment B

Program Category Information

- ***SAFETEA Obligation Authority (OA) Carryover (\$68M):*** This is a required OA payback, which reduces programming capacity to other programs. As the MTC region enters the New Act with a carryover of \$68 million, it remains uncertain how soon this OA payback would be requested by Caltrans, depending on OA used by other regions in the State. It is noteworthy, that MTC's ability to obligate quickly in the earlier years could be viewed as beneficial by Caltrans, allowing later payback of OA. In any event, it is prudent to anticipate payback during Cycle 1. As noted in the SAFETEA summary, the region had to address over \$90 million in OA carryover during the current Act.
- ***Regional Planning (\$48 - \$57M):*** Provide funding to Congestion Management Agencies (CMAs), Association of Bay Area Governments (ABAG), the San Francisco Bay Area Conservation and Development Commission (BCDC), and MTC to support planning activities in the region. The \$48M funding level reflects the Transportation 2035 commitment level by escalating at 4% per year from the base amount of \$6.9M in FY 2008-09. In addition, the CMAs have the ability to use up to 4% of their respective block grants to supplement their planning revenues.
- ***Regional Operations (\$158M):*** Funding to continue regional operations programs over the New Act period including TransLink®, 511, and Incident Management. In response to the elimination of STA funding to the Regional Operations Programs, an increment of \$2.5 million has been added, as compared to Transportation 2035 assumptions for MTC project staff costs through FY 2012/13. Funding for this purpose in Cycle 2 will depend on the State of California fiscal situation.
- ***Freeway Performance Initiative (\$222M):*** Attachment D lists the specific projects proposed under FPI. Major benefits would accrue to the Bay Area expediting the implementation of the Freeway Performance Initiative, emphasizing the delivery of ramp metering projects on the State Highway System throughout the Bay Area Region. For nearly two years, MTC staff has been working with Caltrans and the CMAs to develop a list and sequencing of projects. This category includes \$1.5 million per year, for a total of \$9 million for performance monitoring activities, Regional Signal Timing Program and TOS.
- ***Climate Initiatives (\$148M):*** Project components would include, but are not limited to, funding the Safe Routes to Schools, Safe Routes to Transit, Transit Priority Measures (TPM), Outreach/Incentives programs, and Showcase Innovation projects. Subject to continued discussion with the Air District and stakeholders, specific amounts by category and an updated approach to using these funds will be presented in October. This initiative includes \$20 million to SFgo for Transit Priority Measures. This project will decrease traffic congestion and improve transit operations by synchronizing intersections, and furnishing and installing traffic cameras and variable message signs for traffic monitoring and information dissemination. Lastly there is \$6 million for the Eastern Solano CMAQ Program, to acknowledge CMAQ funds coming to MTC that are within the Sacramento Metropolitan Air Quality Management District's air basin encompassing Eastern Solano County.

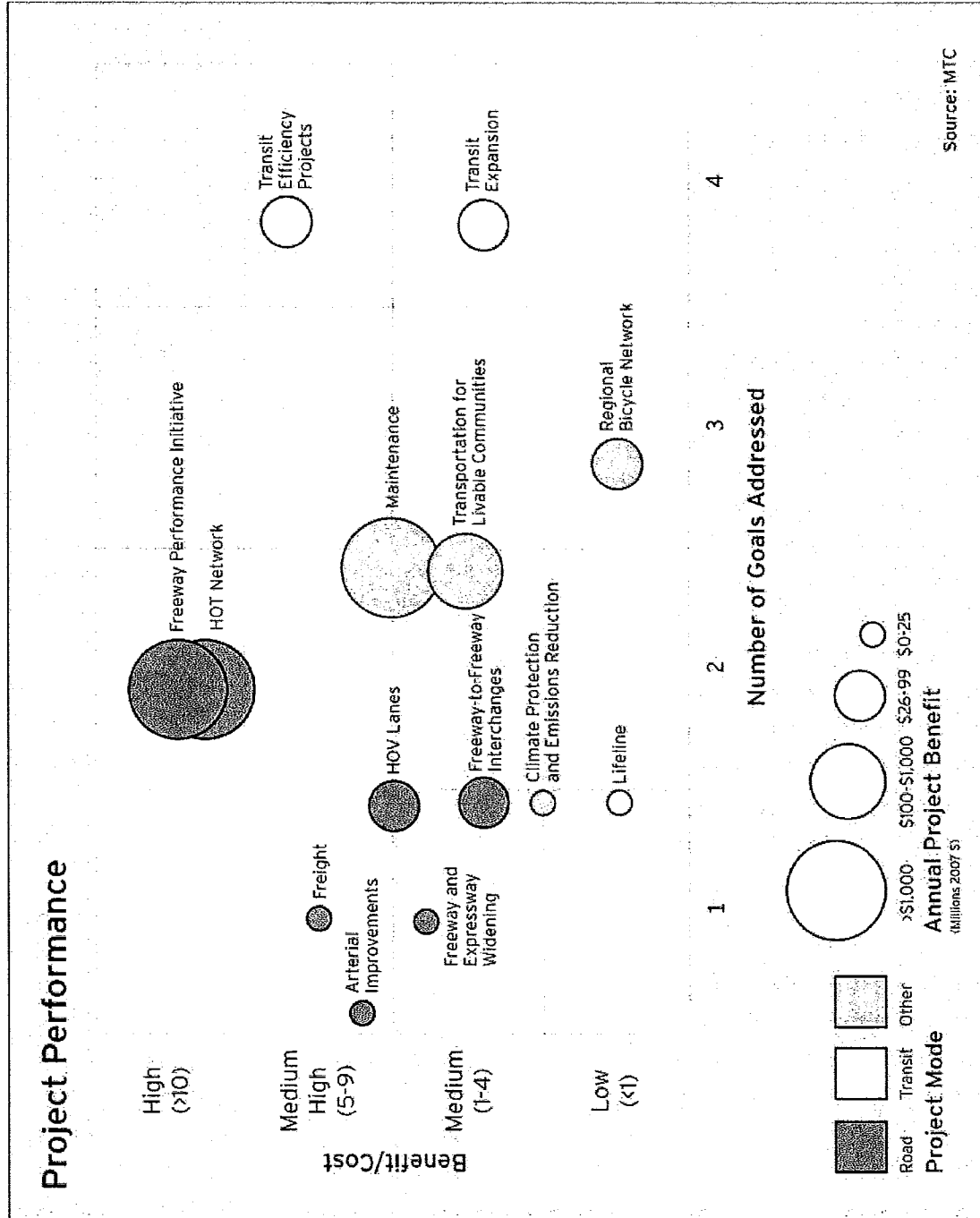
- ***Regional Bicycle Program (\$67M):*** Under T2035, these funds will be applied to building the Regional Bicycle Network. This category also includes \$8 million for new projects as a result of advancing previously funded transportation enhancement (TE) funding.
- ***Transportation for Livable Communities (TLC) (\$223M):*** \$78 million is provided in Cycle 1 to allow for a TLC pilot program to launch a new approach based on discussions with our partners and stakeholders. In July, the Planning Committee reviewed several elements for the next TLC funding cycle. Areas under consideration include (1) the use of TLC funds to incentivize development in Priority Development Areas, (2) the size of TLC grants, (3) a menu of eligible program categories, including streetscapes (current program eligibility), as well as several new categories: non-transportation infrastructure, transportation demand management, and density incentives such as land banking or site assembly, and (4) the split between the regional and local funding. Following input from the Planning Committee, MTC advisors, and regional stakeholders, staff will return to the Planning Committee in September for approval of the next TLC funding cycle.
- ***Transit Capital Rehabilitation Shortfall (\$164M):*** This program will continue to address transit capital shortfalls in the region as identified in the Transportation 2035. The program objective, as in the past, is to assist transit operators to meet major fleet replacement needs.
- ***Local Streets and Roads Rehabilitation (\$232M):*** This program addresses rehabilitation shortfalls on the regional local streets and roads network. Note that the amount includes \$28 million for the Pavement Technical Assistance Program (PTAP) and Federal Aid System Commitments. With the passage of ISTEA and the dissolution of the Federal Aid Urban/ Federal Aid Secondary (FAU/FAS) programs, California statutes guarantee the continuation of minimum funding to Counties, covering their prior FAS shares. The proposal includes \$15 million to address this at the outset of Next Act programming. Also, PTAP (\$7 million per cycle), similar to MTC's regional operations programs requires uninterrupted funding to continue the program, which includes \$1.5 million per cycle to underwrite MTC costs to administer the program.
- ***Strategic Investments (\$71 million):*** Staff is proposing several strategic investments that take into consideration synergies with other recent and proposed initiatives as well as the current state and local economic realities. Related to recent initiatives, staff is proposing to build on the momentum of the Corridor Mobility and Trade Corridor programs by recommending two additional projects that meet these investment priorities. Further, staff is recommending the restoration of partial funding to transit programs and projects that lost funding as a result of state and federal funding cuts. A brief description of each project as well as the proposed funding amount is included below:
 - ***Corridor Mobility (Santa Clara Interstate 280 to Interstate 880 Direct Connector - \$32 million):*** This project will provide a direct freeway connector and interchange improvements to improve traffic operations, safety, and access. This project had been a candidate for Proposition 1B funding, and is now proposed as a strategic investment.
 - ***Trade Corridor (Richmond Rail Connector - \$8 million):*** The Richmond Rail Connector is a rail connection between the BNSF Railroad's Stockton Subdivision and Union Pacific Railroad's Martinez Subdivision near San Pablo,

CA, just north of Richmond, CA. BNSF and UP, as well as the Capitol Corridor and Amtrak, all operate on the Martinez Subdivision. This project is needed to accommodate and better serve both current and future freight and passenger rail traffic on the Martinez Subdivision rail corridor while reducing the impacts on the local community. The proposed rail connector would eliminate the need for a number of long BNSF trains to continue to travel through downtown Richmond, thereby reducing traffic delays at local grade crossings, as well as vehicle emissions and noise impacts affecting Richmond residents. The estimated project cost is approximately \$35m, with 50 percent of the project costs coming from the state Proposition 1B TCIF program, and additional funds coming from BNSF Railroad.

- *MTC Resolution 3814 Transit Payback Commitment (\$31M):* As part of the Transit Policy established in June 2007, in conjunction with Proposition 1B funding, MTC committed \$62 million in future spillover revenues for Lifeline, Small Operators, SamTrans Right-of-way Settlement, and two capital projects – BART to Warm Springs and eBART. Given the proposal to suspend funding to transit for five years, MTC is proposing to meet roughly half of this 10-year commitment through a combination of distributions to-date and the proposed cycle programming. However, the proposal would fully fund the Lifeline and Small Operator commitment while delaying any funding to the two capital projects. The table below provides the proposed distribution:

STA Spillover Funding Agreement Per Resolution 3814 PROPOSITION 1B TRANSIT FUNDING PROGRAM -- POPULATION BASED SPILLOVER DISTRIBUTION						
Apportionment Category	MTC Resolution 3814 Original Schedule	%	FY 2007-08 Spillover Distribution	Unfunded Commitment	Proposed for Funding	Remaining Commitment
Lifeline	\$ 10,000,000	16%	\$ 1,028,413	\$ 8,971,587	\$ 8,971,587	\$ -
Small Operators / North Counties	\$ 3,000,000	5%	\$ 308,524	\$ 2,691,476	\$ 2,691,476	\$ -
BART to Warm Springs	\$ 3,000,000	5%	\$ 308,524	\$ 2,691,476	\$ -	\$ 2,691,476
eBART	\$ 3,000,000	5%	\$ 308,524	\$ 2,691,476	\$ -	\$ 2,691,476
Samtrans	\$ 43,000,000	69%	\$ 4,422,174	\$ 38,577,826	\$ 19,288,913	\$ 19,288,913
Total	\$ 62,000,000	100%	\$ 6,376,158	\$ 55,623,842	\$ 30,951,976	\$ 24,671,865

Attachment C: Transportation T 2035 Project Evaluation Results*



*Transportation 2035 Performance Assessment Report, December 2008

Attachment D

Freeway Performance Initiative Project List

(millions\$)

PRIOR AARA COMMITMENTS

Caltrans EA	Route	Location	Description	Capital costs	Support costs	Total Cost	Committed ARRA	Cumulative ARRA Funds
15130	SCL 280	SB; Menker to 11th	8 Ramp Meters (RMs)	\$5.0	\$2.0	\$7.0	\$7.0	\$7.0
15034	SCL 280	NB; Vine to Leland	7 RMs	\$3.4	\$1.6	\$5.0	\$5.0	\$12.0
15340	SM 280	SB; Route 1 to Route 380	9 RMs	\$4.9	\$2.1	\$7.0	\$7.0	\$19.0

Committed ARRA Subtotal \$19.0

NEW ACT CYCLE 1 (FY 09/10 - FY 11/12)

Caltrans EA	Route	Location	Description	Capital costs	Support costs	Total Cost	Funding Request *	Cumulative Request
-	-	signal timing & performance monitoring					\$4.5	\$4.5
15270	CC 4	Route 680 to Route 160	4 RMs + 40 TOS elements	\$7.8	\$4.1	\$11.9	\$9.9	\$14.4
15300	ALA 92	EB; SM Bridge to Route 880	7 RMs	\$4.3	\$3.1	\$7.4	\$5.9	\$20.2
2A790	SM 101	SF co. line to SCL co. line	29 RMs	\$9.6	\$4.0	\$13.6	\$12.1	\$32.3
15420	SCL 85	Route 280 to Route 101	14 RMs + 14 TOS elements	\$9.5	\$3.8	\$13.3	\$11.4	\$43.7
15320	SCL 680	Route 101 to ALA co. line	32 RMs + 23 TOS elements	\$20.7	\$4.3	\$25.0	\$22.9	\$66.6
15310	ALA 680	CC co. line to SCL co. line	30 RMs + 67 TOS elements	\$27.1	\$5.2	\$32.3	\$29.7	\$96.3
15113	ALA 580	Route 880 to SJ co. line	25 RMs + 69 TOS elements	\$13.8	\$6.7	\$20.5	\$17.1	\$113.4
15330	SCL 101	101/85 IC south to SBT co. line	27 RMs + 46 TOS elements	\$19.8	\$5.3	\$25.1	\$22.4	\$135.9

Cycle 1 Subtotal \$135.9

NEW ACT CYCLE 2 (FY 12/13 - FY 14/15)

Caltrans EA	Route	Location	Description	Capital costs	Support costs	Total Cost	Funding Request	Cumulative Request
-	-	signal timing & performance monitoring					\$4.5	\$48.2
15160	MRN 101	Golden Gate Bridge to SON co. line	43 RMs	\$23.7	\$4.1	\$27.8	\$25.8	\$74.0
TOS22	SOL 80	Carquinez Bridge to Yolo co. line	61 RMs + 150 TOS elements	\$46.9	\$17.4	\$64.3	\$55.6	\$129.6

Cycle 2 Subtotal \$85.9

GRAND TOTAL \$240.7

* Funding requests for FPI projects include 100% of capital costs and 50% of support costs.

New Act STP/CMAQ Cycle Programming Outreach Schedule

Date	Committee	Action
May		
18	Partnership Technical Advisory Committee	Present Framework
June		
3	Transit Finance Working Group	Present Framework to Advisory Committees and Working Groups leading up to a presentation of a draft proposal to the Partnership Board
4	Elderly and Disabled Advisory Committee	
9	Minority Citizens Advisory Committee	
10	Advisory Council	
12	Local Streets and Roads Working Group	
15	Programming and Delivery Working Group	
15	Partnership Technical Advisory Committee	
23	Partnership Board	
July		
1	Transit Finance Working Group	Draft Proposal revised as needed. Draft Final Proposal developed after PTAC to be taken to PAC/Commission in September.
2	Elderly and Disabled Advisory Committee	
8	Advisory Council	
10	Local Streets and Roads Working Group	
14	Minority Citizens Advisory Committee	
20	Programming and Delivery Working Group	
20	Partnership Technical Advisory Committee	
August		
12	Advisory Council	Same as above.
20	Regional Bicycle Working Group & Regional Pedestrian Committee joint meeting	
September		
2	Transit Finance Working Group	Update Advisory Committees and Working Groups on any proposal revisions on an ongoing basis for comment. Staff to present proposal and issues to Programming Advisory Committee for information only and to receive further direction.
4	Local Streets and Roads Working Group	
9	Programming Allocations Committee	
9	Advisory Council	
21	Programming and Delivery Working Group	
21	Partnership Technical Advisory Committee	
October		
1	Elderly and Disabled Advisory Committee	Continuation of September outreach
13	Minority Citizens Advisory Committee	
14	Programming Allocations Committee	Final Draft Proposal reviewed and adopted by the Commission.
28	Commission	

STP/CMAQ Cycle 1 and 2 Programming Proposal Local Streets and Roads Working Group

What do increased transit ridership, efficient goods movement, bicycle and pedestrian access, Focused Growth, and any freeway congestion management program have in common? Their success all rest upon the foundation of a functioning street and road network. Maintenance of the existing street and road network is not about expanding roadway capacity in order to create an environment conducive for driving. It is about preserving the base upon which *all modes of travel* rely. If investment in the existing street and road network is continuously deferred in favor of enhancement programs or expansion projects, the foundation will continue to deteriorate—to the ultimate detriment of all other transportation priorities.

MTC has requested that the region's transportation stakeholders serving in the various working groups that advise the Partnership Board develop proposals that reflect their preferred options for the programming of STP and CMAQ funds over the next six years. Attachment A is a proposal developed by the Local Street and Road Working Group (LSRWG) that reflects one of the main themes of the recently adopted *Transportation 2035* plan—"Fix-it-First". An explanation of the proposal is provided in detail below. Additional justification for the LSRWG framework is also provided.

LSRWG Proposal:

- Keep funding for the Freeway Performance Initiative (FPI) whole at \$222 million by providing \$31 million in funding off the top of the "anticipated" revenue. Reduce funding for FPI in the first cycle from \$62 million to \$39 million and from \$89 million to \$78 million in the second cycle.

Rationale

- The program consists of multiple IT projects at multiple, widely separated locations. While reducing the program in the first cycle, the \$113 million (\$39 million in Cycle 1 funds plus \$74 million in ARRA Backfill funds) investment still represents a significant investment.
- MTC staff includes \$235 million in "anticipated" revenue in their latest programming framework. Staff proposal states "Portion available for Cycle 1 Programming is \$60 million from apportionments over the first three years."
- Reducing the amount of CMAQ used for FPI in the first and second cycles would free up more of this fund source for other programs that can use it and in turn, would free STP funds to be used to further "Fix It First" goals.

- Increase funding for Regional Streets and Roads Rehabilitation to \$109 million in the first cycle and \$91 million in the second cycle.

Rationale

- Supports “Fix it First” philosophy
 - Recognizes need for early investment to maximize investment savings and minimize further deterioration of the region’s local streets and roads conditions
 - Recognizes a higher cost benefit through early investment
 - Recognizes proven track record of ability to deliver projects in a timely manner
 - Local Roads maintenance / rehabilitation did not receive a proportional share of ARRA funding
- Distribute “Anticipated” funding to reflect *Transportation 2035* investment commitments which results in increasing the commitment of “anticipated” revenue for streets and roads to \$89 million and transit rehabilitation to \$74 million.

Rationale

- Per *Transportation 2035*, 80 percent of “Anticipated” revenue should go towards maintenance of the existing system. Anticipated revenue represents funding above and beyond what was projected to be available from specified sources. These funds could take the form of existing programs. The MTC staff proposal indicates that the anticipated revenue included in the programming framework is based on more revenue becoming available than what had been projected in the Plan from the STP/CMAQ fund source. The LSRWG proposal appropriately distributes these funds according to the investment framework put forth in the Plan for anticipated revenues after deducting \$31 million from the total in order to fund the FPI program at staff’s proposed level.
- While funding is reduced in the LSRWG proposal for several of the core programs, additional funding for maintenance of the transit system and for the roadways required by transit, bicyclists and pedestrians, cannot be seen as being at cross-purposes with Climate Initiatives, TLC or the Regional Bike Program.

Further Justification for the LSRWG Proposal

Existing resources to fund the maintenance of the existing street and road network in the Bay Area fall short by more than \$200 million per year. The California Assembly’s reversal of the recent proposed raid of local gas tax subvention funds to help cover the State budget deficit—while a welcome turn of events—merely keeps the region’s local street and road network at the same place it was at the time *Transportation 2035* (T2035) was developed—underfunded by 50% of what is needed to bring conditions up to a pavement condition index (PCI) of 75 over the next 25 years. Without additional funding, the street and road network in the Bay Area is projected to deteriorate from the current PCI of 64, to 42 by the year 2032.

Transportation 2035

MTC Commissioners recognized that it makes no sense to spend limited regional transportation resources to enhance or expand on an existing foundation that will continue to deteriorate if not addressed. The “Fix it First” philosophy that was made prominent in T2035 reflects that recognition.

During the T2035 investment trade-off discussions, local public works representatives stressed the need to invest *early* if the \$7 billion dollar regional commitment to street and road maintenance were to be effective in preventing further deterioration of the region’s average street and road condition over the course of the Plan period. Early investment in street and road maintenance has been found to have a benefit to cost ratio of five to one. While other strategic investments in the Plan may have a higher calculated benefit cost ratio than maintenance of the existing system, the scale of the savings that can be realized by investing early in the existing infrastructure far exceeds anything else. The existing street and road capital maintenance funding shortfall is \$18 billion. Every billion dollars that is invested in preservation of the system will save five billion in long-term costs associated with deferring needed maintenance. In addition to the enormous savings this represents for the region’s taxpayers, it also impacts the level of regional resources that will be available to invest in other transportation priorities.

While it has been said many times by MTC staff and it is understood that T2035 is a plan and not a programming document, it is difficult to see the point of such a plan when right out of the starting gate the priorities and actual funding streams deviate sharply from the framework established.

Also understood is the fact that funding sources often come with restrictions and will not necessarily flex to conform neatly to the goals and commitments outlined in the Plan. This is why it is critical that where flexible funding sources are available, that they are applied appropriately according to the priorities that the region has set and with consideration of the types of fund sources that are likely to be available in the future. To this end, the Congestion Management / Air Quality Program (CMAQ) funds currently proposed in the MTC Staff’s Plan for the Freeway Performance Initiative (FPI) should be directed in larger proportions to programs uniquely eligible for these funds, such as the Transportation for Livable Communities (TLC) Program. This would allow the Surface Transportation Program (STP) funds to be spent on Local Streets and Roads Maintenance to achieve the “Fix it First” goal. Because, outside of the recent American Recovery and Reinvestment Act (ARRA) program, *known* regional discretionary revenue sources that can be applied against the local streets and roads maintenance shortfall consist of exactly one: Surface Transportation Program (STP) funds. Therefore, it is our position that these funds be used to prioritize the “Fix it First” goals set forth in T2035, as opposed to programming funds into a strategic investment such as the Freeway Performance Initiative which is more rightly viewed as a long range goal.

Project Delivery

The Bay Area Region, through MTC’s leadership, has been successful in meeting “timely use of funds” requirements by delivering street and road system preservation projects ahead of Federal deadlines. These efforts provided opportunities for our region to secure additional STP/CMAQ funding from other parts of the state that did not deliver their projects in a timely manner. The end results were additional streets and roads rehabilitation projects that provided Bay Area

residents with pavement and safety improvements which includes such components as American with Disability Act curb ramp installations. We encourage that these policies continue and that Cycle 2 Funding allocations be conditioned on programs ability to deliver their projects in a timely manner.

Regional Investments since the Adoption of T2035

Prior to approval of the federal economic stimulus act, local jurisdictions submitted a list of approximately \$1 billion “shovel-ready” projects that were deemed deliverable within the time frames being considered for the legislation. Of the \$662 million in ARRA funding that was or will be at MTC’s discretion to distribute, \$145 million has been obligated for street and road maintenance and rehabilitation. That amount is less than 22% of the total and far less than the 43% share of “anticipated” revenues that T2035 said would be going to fund the local street and road maintenance shortfall. While not all the region’s share of the ARRA funding was eligible for street and road maintenance expenditure, there were clearly opportunities to fund streets and roads at a far greater level than what has been achieved.

In addition to the ARRA funding, MTC staff’s proposal for the first and second cycles of STP/CMAQ funding falls short of targets identified in T2035.

Following is a comparison of the T2035 investment framework and the actual investment practice that has been applied with the ARRA funding and is being proposed by MTC staff for the ARRA backfill funding from the State in combination with the STP/CMAQ Cycles 1 & 2 program. It illustrates how far the region has strayed, the calculated difference between the investments identified in the Plan and the actual percentages that have been received or are being proposed for local streets and roads.

Transportation 2035 vs. Actual / Planned Investment Comparison

Funding Source	T2035*	Actual / Planned	Diff. In Dollars (Billions)
Anticipated / Unspecified	43.4%	21.9%	\$ 0.142
STP/CMAQ*	25.5%	21.7%	\$ 0.030
<i>Total Amount Behind / Needed to be On Par with Plan:</i>			\$ 0.172

*Does not assume the front-loading of climate initiative funding

Therefore, if T2035 is to have any significance at all, actual funding practice should more closely resemble its investment framework.

(Amounts in Millions)

	MTC Staff Proposal - 09/09/09						LSRWG Proposal - 09/21/09					
	ARRA Backfill	STP/CMAQ Cycle 1	STP/CMAQ/TE Cycle 2	ARRA Backfill & STP/CMAQ TE Total	Anticipated Revenue ²	Total New Commitment	ARRA ¹ Backfill	STP/CMAQ Cycle 1	STP/CMAQ Cycle 2	ARRA Backfill & STP/CMAQ TE Total	Anticipated Revenue ²	Total New Commitment
Estimated Apportionment Revenues												
ARRA Programming	662											
Annual Programs												
1 Required SAFETEA OA Carryover		68		68		68		68		68		68
2 On-Going Regional Planning		23	25	48		48		23	25	48		48
3 On-Going Regional Operations		84	74	158		158		84	74	158		158
Subtotal Annual Programs		175	99	274	0	274	0	175	99	274	0	274
2003-2005 Core Programs												
4 Focus 1 Freeway Performance Initiative (FPI)	19	62	86	222		222	74	39	78	191	31	222
5 Focus 2 Climate Initiative ³		59	34	93	55	148		59	34	93	18	111
6 Focus 2 Regional Bicycle Program	10	16	20	44	22	66	8	16	20	44	16	51
7 Focus 2 Transportation for Livable Communities (TLC)		78	96	174	49	223		78	96	174	16	190
8 Focus 3 Transit Capital Rehabilitation	286		119	119	45	164			119	119	4	193
9 Focus 3 Regional Streets and Roads Rehabilitation ⁴	145	86	83	169	63	232		301	109	200	39	289
Subtotal Core Programs	360	307	438	821	231	1053	82	301	438	821	235	1056
Strategic Investments												
10 Safety Projects (Vasco Road and North Bay Counties)	13											
11 Express Lane Network (\$80 and 237/880)	14											
12 Transit Expansion - Oakland Airport Connector	70											
13 Advance Prop 1B (Caldecott Tunnel)	105											
14 Corridor Mobility (SCL I/C Imps)			31			32						
15 MTC Res. 3814 Transit Payback Commitment		8				31						
16 Trade Corridor (Richmond Rail Connector)		8				8						
Subtotal Strategic Investments	202	8	31	71		71	32	8	31	71		71
Grand Total	662	484	568	1,166		1,400	114	484	568	1,166		1,401

¹ \$12.5 M in ARRA Backfill is included within the \$661.9 M ARRA Programming Amount (\$105 M for Caldecott Tunnel and \$7.5M for TIE)² Anticipated revenues are based on a 10% annual authorization increase as compared to the assumed 4% in the base proposal over six years. Portions available for Cycle 1 programming is \$60 million from apportionments over the first three years.³ Includes \$20M for SFgo.⁴ Includes PTAP and FAS of \$28M

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